

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO.: 22-cv-22538-ALTMAN/REID

PIERCE ROBERTSON, *et al.*, on  
behalf of himself and others similarly  
situated,

Plaintiffs,

v.

MARK CUBAN, *et al.*,

Defendants.

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**PLAINTIFFS' *UNOPPOSED* MOTION TO STRIKE MOTION FOR LEAVE TO  
FILE SECOND AMENDED CLASS ACTION COMPLAINT [ECF NO. 118]  
WITH LEAVE TO REFILE**

Plaintiffs, after conferring with Defendants, respectfully move unopposed to request this Court enter an Order striking Plaintiffs' Motion for Leave to File Second Amended Class Action Complaint, [ECF 118], and granting leave to refile under seal Plaintiffs' Motion for Leave to File Second Amended Class Action Complaint.

**S.D. FLA. L.R. 7.1 CERTIFICATION**

Plaintiffs' Counsel have conferred with Defendants' Counsel in a good faith to resolve the issues raised in this Motion and report that Defendants do not oppose the relief sought herein.

Dated: May 9, 2023

Respectfully submitted,

**By: /s/ Adam M. Moskowitz**

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing was filed on May 9, 2023, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Adam M. Moskowitz  
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